

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:15-CV-607-D

JOSEPH PIRELA,

Plaintiff,

v.

ANGEL JOSE MIRANDA,
LYDIA NICOLE ROBERTS,
and ETHIEL CALDERON,

Defendants.

ORDER


On March 31, 2016, Magistrate Judge Jones issued a Memorandum and Recommendation (“M&R”) [D.E. 17]. In that M&R, Judge Jones recommended that plaintiff’s application to proceed in forma pauperis be granted and that the complaint be dismissed as frivolous. On April 14–15, plaintiff filed objections to the M&R [D.E. 20], an amended complaint [D.E. 21], and an “amended Motion for Federal Intervention Why/Miami . . . is Hiding . . . Prostitution Records. . . .” [D.E. 23]. Plaintiff also filed a motion to change his address to an e-mail address [D.E. 22].

The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made.” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); see 28 U.S.C. § 636(b). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Diamond, 416 F.3d at 315 (quotation omitted).

The court has reviewed the M&R, the record, and plaintiff's objections. As for those portions of the M&R to which plaintiff made no objection, the court is satisfied that there is no clear error on the face of the record.

As for the objections, the court has reviewed the objections and the M&R de novo, plaintiff's objections are overruled. Plaintiff's application to proceed in forma pauperis is GRANTED, and plaintiff's complaint and amended complaint are DISMISSED as frivolous. Plaintiff's motion to change his address to an email address is DENIED. The clerk shall close the case.

SO ORDERED. This 8 day of June 2016.


JAMES C. DEVER III
Chief United States District Judge